

SPECIAL EVENT POLICY and APPLICATION TOWN OF ZIONSVILLE, IN

Adopted February 4, 2013 by the Zionsville Town Council (amended August 4, 2014)

I. INTRODUCTION

Special public events enhance the Town of Zionsville's "Town" lifestyle and promote a sense of community by providing an opportunity for residents to come together for entertainment and / or celebration. These events may require Town of Zionsville (hereafter "Town") support to maintain public order and safety. It is the purpose of this Policy to:

- A. define event requirements and responsibilities
- B. identify levels of support provided by the town
- C. outline a mechanism for cost recovery of Town expenses
- D. set forth the application process required of event sponsors

II. DEFINITIONS

The following definitions apply to this Policy:

- A. Special Event – A special event is defined as any non-routine activity that:
 - 1. generates unusually high vehicular or pedestrian traffic; or
 - 2. requests temporary closure of streets or public ways; or
 - 3. utilizes public property in a manner other than its normal use; or
 - 4. constitutes a Class III or Class IV event as defined in this Policy.
- B. Event Sponsor – Organization or person requesting, organizing, and managing the special event.
- C. Municipal Service Support – amount of personnel and / or assets the Town will provide to an Event Sponsor at Town cost.
- D. Town – Town of Zionsville, the Town Council or its designee(s)
- E. Town Support – for the purpose of this Policy, Town support is defined as making available personnel, facilities, and/or equipment for the purpose of providing a venue, traffic control, crowd control and/or assuring public safety.
- F. Hazard Classifications – Classification of public events based on degree of physical activity of participants and possible exposure of participants and spectators to hazards:
 - 1. Class I – Low Hazard involves no physical activity by participants and no hazard exposure to participants or spectators. Examples of events in this category include, but are not limited to, meetings, seminars, social gatherings, weddings, theatrical performances and auctions.
 - 2. Class II – Moderate Hazard involves limited physical activity by participants and no hazard exposure to participants or spectators. Events in this category include, but are not limited to, amateur team sports, dances, animal shows, large political events, flea markets, picnics and parades with no floats.
 - 3. Class III – High Hazard involves major participation by participants and/or moderate hazard exposure to participants and spectators. Events in this category include, but are not limited to, parades with floats, marathons or races, circus/carnivals and semi-pro team sporting events.
 - 4. Class IV – Severe Hazard involves severe hazard exposure to spectators and/or participants. Examples of events in this category include, but are not limited to, alcoholic beverage sales, vehicle races or fireworks displays.
- G. Downtown Business Area – for the purpose of this policy is defined as Elm St. to the east, Second St. to the west, Poplar St. to the north and Sycamore St. to the south.
- H. Full-day closure is defined as 8:00 AM to 3:00 PM or later
- I. Partial-day closure is defined as morning (8:00 AM to 1:00 PM) or afternoon (1:00 PM onward).

All Class II, III, and IV Hazards for crowds of over 200 people require contacting the Zionsville Police Dept with regard to hiring of (an) off-duty police officer(s) or other approved security personnel.

III. LEVELS OF SUPPORT

The Town will provide municipal services to special events at five different levels of support:

- A. Full Town Supported Events: The Town will provide full Municipal Services Support for the following events at no charge to the sponsor:
 - 1. The Zionsville Chamber of Commerce Brick Street Market;
 - 2. Zionsville Fourth of July at Lions Park
 - 3. The Zionsville Chamber of Commerce Taste of Zionsville and Street Dance;
 - 4. Lions Club Fall Festival and Parade;
 - 5. Zionsville Chamber of Commerce Christmas in the Village.
- B. Partial Town Supported Events: The Town may subsidize a portion of the Municipal Services Support through reimbursement as determined by the Town Council, on a case-by-case basis, if the event is considered to be of general interest to the public and enhances the Town's public image. These events must meet the other requirements of this Policy, and the sponsor must reimburse the Town for any Town costs in excess of the support level authorized by the Town Council.
- C. Non-Profit Events: The Town will provide agreed upon Municipal Services Support to assist special events operated by non-profit organizations. These events must meet the other requirements of this Policy and the sponsor must reimburse the Town for any Town costs in excess of this support level. Any off-duty public safety personnel who work for the event must be reimbursed at the current amount set by those departments.
- D. For Profit Events: The Town may allow special events operated by for profit sponsors, which are beneficial to the Town and the public subject to an additional use charge for the use of the public property, to be approved in advance for each event. In addition, for-profit sponsors of these events must pay 100% of all Municipal Services Support costs related to the event. These events must meet the other requirements of this Policy and must reimburse the Town for any Municipal Services Support costs in addition to the payment of the established rent. The minimum additional use charge shall be \$100/day.
- E. Political or Ballot Issue Events: The Town will allow public political or ballot issue events provided that the political party, candidate or political organization pays 100% of all Municipal Services Support costs, including a minimum facility fee of \$100/day.

IV. Downtown Business District Street Closures

Due to the special nature of Zionsville's downtown business district and the need to maintain access for the businesses locate within it, street closure requests for Monday through Saturday must be:

- A. Requested at least ninety (90) days prior to the event date. Notification of town staff review **will be provided at least ninety (90) days in advance of the event.** Requests for events planned during the period of March 1 through October 31 must be submitted by March 1 of the same year. Applicants will be notified of approval or denial for these events no later than March 15.
- B. Street closures will be limited to the following:
 - 1. Two (2) Full-day closures per year and,
 - 2. Four (4) Partial-day closures per year.
- C. Requests for additional events will be decided by the Town Staff after notice to

affected parties and an opportunity to comment within a timeframe designated by the Town.

The closure of Hawthorn Street for the Farmer's Market is exempt from this policy. Also note that priority may be given to those events listed under Section III A. of this policy.

V. SPONSOR REQUIREMENTS AND RESPONSIBILITIES

A. Liability Insurance:

1. In order to comply with the requirements of the Town's liability insurance carrier, it shall be required that all sponsors of special events or commercial video or film crews carry liability insurance with coverage of at least \$1,000,000 per occurrence, except for Class I – Low Hazard events approved by the Town Council as provided below. An event sponsor shall be required to provide a valid certificate of insurance prior to the event naming the Town of Zionsville as an additional insured. The Town Council may require higher levels of insurance for an event based on risk factors, hazard classifications, and past experience.
2. The Town shall include the Chief of Police, Fire Chief, Street Department Superintendent and Director of Planning and Economic Development in all special event reviews. Other department managers shall be included on a use of facilities basis. This is intended to provide a risk control guide for the handling of the increased liability associated with special events.
3. It shall be the policy of the Town to not routinely require liability insurance coverage for events classified as Class I – Low Hazard. These would be events that include no physical activity by participants and no severe exposure to participants or spectators. This waiver of the liability insurance requirement is meant to cover small gatherings or ceremonies that do not involve more than 50 people, are limited to passive participation by the public and require no Town Municipal Service Support. All other events are required to provide liability insurance as outlined in this Policy.
4. The Town Council may require specific protections for any event. These required protections may include specific staffing levels for police, fire, emergency medical services, municipal services or other personnel. Expenses for these requirements will be billed to the sponsor under the terms of this Policy.

As a result of the review of the event proposal, the Town may impose special conditions on the event. A member of the Town or its public safety officials shall be available to meet with event organizers to review the special conditions to ensure that all conditions are met before the event begins. Some events may require that a member of the Town Council or its designee be onsite during the event.

The Zionsville Town Council or its designated representative has the authority to cancel or stop an event if the special conditions required for approval of the event are not met. In addition, the Town Council members and Town public safety officials have the authority to cancel or stop an event, or place additional restrictions on the event, if it is deemed that the public health, safety, or welfare would be better served with additional restrictions.

B. Traffic Control and Safety:

The special event sponsor shall be responsible for complying with all traffic control and safety procedures required by the Town during the event. The requirements will be stipulated in the notice of approval and the Town may make additional requirements during the event as may be necessary for public safety. All special events which include participants soliciting funds in street intersections shall comply with the safety requirements and use of traffic cones as specified in the Chief of Police's instructions. The Town does not recommend solicitations of any kind on its streets or the rights-of-way. The Town accepts no responsibility or liability for the safety of persons who may, against the recommendation of the Town, make solicitations in its streets.

C. Special Event Signs and Markings:

The special event application shall include a description of the advertising signs proposed to be used for the event. The use of signs shall conform to the description contained in the application, or as modified by the Town in its approval resolution. Except as expressly approved otherwise by the Zionsville Plan Commission, event signs erected prior to the first day of the event shall be subject to the following restrictions:

1. Advance notice signs must comply with the Town's zoning ordinance;
2. Any banner sign shall comply with the Town's zoning ordinance; and
3. The fee for installing/removing the banners shall be at the expense of the applicant or sponsor.

Additional signs may be erected as needed at the site of the event during the event. All signs are subject to the approval of the Town.

Any event requiring pavement markings on the trail system, sidewalks or roadways of the Town shall utilize a temporary chalk-based marking. It is preferred that pure chalk be used to limit residual visibility after the event is complete, and be placed no earlier than one week prior to the event. However, when a more permanent marking is necessary, only chalk-based marking paint shall be used. The locations and marking material are subject to approval by the Town, coordinated through either the Parks or Street Departments.

D. Video or Film Production:

Organizations that request any location within the Town as a location for a commercial video or film production shall be required to coordinate the production with the Town Manager's Office. The Town Manager's Office shall have the authority to grant permission for commercial video or film production in the Town and to allow use of the Town facilities for this purpose, provided that it does not adversely affect the health and safety of the community. All commercial video or film productions shall be required to pay the actual costs of all straight time and overtime for all Town employees, equipment and purchased or rented materials (plus 3% of cost). Further, there shall be a 25% administrative fee placed on the final billing for such productions. A rental fee shall be charged for use of the public areas such as parks and streets. The rental fee shall be set by the Town based on the overall impact of the production on the public areas being used. The minimum rental fee or site fee shall be \$250.

E. Food Vendors

Food vendors are required to comply with all Boone County Health Department rules and regulations for temporary food license facilities. Vendors are required to contact the

Boone County Health Department for the latest rules and regulations and to obtain a temporary food license.

F. Free Parking:

The term “free parking” as used on the special event application form means that there will be no enforcement of parking time limits or permit parking. Handicapped zones and all fire lanes shall be enforced at all times. Free parking shall only be granted if requested by the applicant or sponsor and approved by the Town. There shall be a twenty-foot (20') fire lane maintained at all times during the special event. The fire lane must be maintained even during set up and tear down of the event.

G. Participant Waiver of Liability:

The special event sponsor shall be responsible for obtaining all signed indemnification agreements as required by the Town in advance of the event. A sample of the basic agreement is attached to this policy. The specific requirements for each event will be indicated in the Town's written confirmation of approval.

H. Event Area Designation:

To the extent that they are available, the Town may loan or charge for traffic cones, barricades or other municipally-owned items to the event sponsor. However, there is no guarantee that these materials will be made available and the sponsor shall be prepared to provide the items necessary to secure their event from traffic and other lawful uses of public property. Priority shall be given to events designated as “Full Town Supported Events”.

I. Non-exclusive Use of Public Facilities and Event Clean-up:

Event sponsors shall be prepared to provide suitable waste and trash receptacles for their participants and be responsible for the clean-up of the event area upon conclusion. Public trash and recycling receptacles placed throughout Town cannot typically accommodate the high volume generated by special events involving a significant number of participants. The Town asks event sponsors to request that participating vendors not use the public receptacles thus leaving their capacities for use by the general public and event attendees.

J. Adherence to Local Ordinances:

Event sponsors shall ensure that vendors and active participants obey all local ordinances except those which may have been waived to accommodate the event. This includes, but is not limited to, Chapter 12 of the Code of Ordinances governing illicit discharge of materials to the storm sewer system, creek, streams, waterways and water bodies of the Town of Zionsville. At no time shall the dumping of any material other than potable water be allowed to be dumped into the storm drain system.

K. State of Indiana Special Event Permits as Required

State Amusement entertainment permits are required for events at a variety of locations and venues including: concerts and other shows, amusement rides, movies, dances, and bowling. The owner of the property or the operator of the event shall apply for the amusement entertainment permit, public display of fireworks permit, etc. well in advance of the planned event, so that the necessary life safety inspections of the venue can be performed to protect public safety.

L. Event Inspections

State and/or local inspections shall include review of the emergency action/evacuation plan, safety plan, all applicable permits, tents, canopies and membrane structures,

temporary wiring, stages will require site inspections prior to the event. All applicable state and local regulations will need to be adhered to.

VI. COST RECOVERY AND FEES

A. Fees shall be charged for Town Municipal Services Support provided to Special Events as follows:

1. The hourly rate shall be the hourly cost for any Town employee working on a special event as approved by the Town. The hourly rate shall include expenses related to the employee, including fringe benefits and overhead. Overtime shall be the hourly cost for any employee working on a special event during a time period that would be considered overtime on the Town payroll records, including the actual cost of fringe benefits.
2. Purchased or rented materials shall include all direct costs for all materials purchased or rented by the Town for use at the event. An administrative fee of 3% shall be added to all purchased or rented material to cover costs related to order processing and vendor payment.
3. Equipment charges shall be the current equipment rental rates charged by the Town.

B. Billings for Special Events: See attached current schedule.

A cash deposit, performance bond or other security acceptable to the Town will be required in an amount equal to the amount estimated by the Town to be billed for Town fees as described above. Arrangements for the deposit or other acceptable security are to be made by event organizers not less than five (5) working days before the start of the event.

C. Rental Charge Facility Fee:

Events, which are exclusively sponsored by private for-profit organizations, shall be charged a rental/facility fee for use of public areas such as parks, streets or equipment in addition to the Town's event fees. The rental/facility fee shall be set by the Town in consultation with the applicant; based on the overall economic impact of the event, and subject to final approval by the Town as part of the special event application approval.

Fees can range from \$100 to in excess of \$10,000. Fees will be based on the number of road closures needed, length of the event, economic impact on the community, number of outside vendors, amount of staff planning required and other applicable factors.

The minimum rental/facility fee charged for non-community based non-profits shall be \$100/day. The minimum rental charge assessed to for-profit organizations shall be \$100/day.

VII. APPLICATION PROCESS

A. Application Processing:

Applications are available from the Town Manager's office or online on the Town website. Applications must be submitted to the Town Manager's office no later than sixty days prior to the date of the actual event if the event is a Class III or Class IV Hazard event. The Town of Zionsville may waive the sixty (60) day rule only in extreme cases. Applications for Class I or II Hazard events need to be submitted to the Town Manager's office no later than thirty (30) days prior to the date of the actual event. The Town of Zionsville may waive the thirty (30) day rule only in extreme cases. Applications that include a street closure request within the Downtown Business District must be submitted to the Town Manager's office at least ninety (90) day prior to the actual event. If the Downtown Business District street closure request falls within the period of March 1 through October 31, it must be submitted prior to March 1 of the year in which the event is to be held (see Section IV of this policy document).

The Town will provide a complete review of any special event application, including consultation with the applicant as may be reasonably necessary to resolve problems, at no charge to event sponsors.

Sponsors of special events should be aware that noise generated by the event could have an impact on the neighborhoods near the event site. Sponsors must be considerate of the neighborhood and compliant with the Noise Ordinance.

This application does not supersede any building or fire codes. All federal, state, and local laws, codes or ordinances will be enforced.

B. Two or More Applications for the Same Date

In the event that two or more special event applications are received for the same date and time, prior to the approval of either event, the date and time that each application was received by the Town shall determine the order of preference. (Once a special event permit has been granted, it shall be the policy of the Town Council to not award further permits for the same date, time and general location.)

C. Reservation of Annual Event Dates:

If an event is intended to be an annual event at regularly scheduled dates, the current year's application will include reservation of the following year's proposed dates. However, listing such dates shall not constitute approval of following year's event, which must have its own timely application submitted for Town approval. In general, the Town will not approve Special Event dates more than one year in advance.

In all cases, preference for scheduling shall be given in the following order:

1. Town Sponsored Events
2. Town Co-Sponsored Events
3. Community-based Non-Profit Events
4. Non Community-based Non-Profit Events
5. For Profit Events
6. Political or Ballot Issue Events

D. Written Confirmation of Town Approval

All department managers and the Town Council designee must approve the special event application. Upon approval, a written confirmation as to the action of the Town will be forwarded to the individual or organization requesting the event by the Town Manager's Office. This confirmation will outline any special conditions that must be met for the event to be held.



Event Date: _____

Application Date: _____

**Town of Zionsville
Special Event Application**

Directions: Complete this application in accordance with the Town of Zionsville Special Event Policy and return it to the Town Manager's office at least:

- 60 days prior to Class III or IV events or
- 30 days prior to Class I or II events.

Event Request

Name of Event: _____

Type of Event: _____

Location of Event (supply map if not in one place): _____

Date/Time of the Event: List Date / Time / Day of Week

Set up time: _____ Event Start Time: _____

Event End Time: _____ Break down time: _____

Anticipated Attendance (per day): _____ Anticipated staff (per day): _____

Applicant Information

Host Organization or Sponsor : _____

Non-profit: _____ yes no

If non-profit, list your tax exempt number: _____

Contact Person: _____ Title: _____

Address: _____

Telephone: _____ Cell Phone: _____

Fax number: _____ E-Mail: _____

Individual Name

Contact Person: _____ Title: _____

Address: _____

Telephone: _____ Cell Phone: _____

Fax number: _____ E-Mail: _____

Please list any professional event organizer, event service provider, or commercial fund-raiser hired by you that is authorized to work on your behalf to plan, produce and/or manage your event.

In the event of an emergency the day of the event please provide a contact:

Name _____

Cell phone #: _____

Event Information

Is this an annual event?	Yes	No
If yes, next year's event date: _____		
(See Application Part C - Reservation of Annual Event Dates in the attached Special Event Policy.)		
Food concession?	Yes	No
Will food be sold at the event?	Yes	No
Do you intend to cook food in the event area?	Yes	No
If yes, please specify method:		
Gas		
Electric		
Charcoal		
Other: specify _____		
Other vendors?	Yes	No
Will alcohol be served?	Yes	No
If yes, check all that apply:		
Free/Host Alcohol		
Alcohol Sales		
Beer		
Wine		
Other: _____		
Describe your plan to ensure the safe sale or distribution of alcohol at your event. _____		

Will this event include use of signs or banners?	Yes	No
Type of signs: _____		
Placement: _____		
Will roads / streets need to be closed?	Yes	No
If yes, include list of streets, route, and/ or map.		
Structures to be erected?	Yes	No
If yes, type: _____		
Will "No Parking" signs need to be erected?	Yes	No
If yes, provide location.		
Will pavement markings or route guides be placed on		
Streets, sidewalks or pathways?	Yes	No
Amusement rides?	Yes	No
If yes, name of company: _____		
Provide Insurance		
Music at event?	Yes	No
Type (live - band or other; recorded, other): _____		
If yes, time: _____		
Fireworks?	Yes	No
Company: _____		
Electricity needed?	Yes	No

A proposed site plan detailing your event must be provided. The site plan should detail information such as, but not limited to: food/beverage vendors, water or electrical usage, portable restrooms, stages, tents, etc. Effective May 3, 2012, the State of Indiana implemented new regulations (posted at: <http://www.in.gov/dhs/files/EmergencyRules5212.pdf>) governing outdoor stage equipment. All applications containing outdoor stage equipment are subject to these regulations.

Person(s) responsible for clean-up: _____

Insurance company: _____ Insurance agent: _____

Insurance contact person: _____

Additional Event Information:

Certification and Signature

I understand and agree on behalf of the sponsoring organization that:

1. A Certificate of Insurance must be provided which names the Town of Zionsville as an additional insured party on the policy. (See Special Event Policy for insurance requirements.)
2. Event sponsors and participants will be required to sign an Indemnification Agreement (see Special Event Policy).
3. The approval of this special event may include additional requirements and/or limitations, based on the Town's review of the application in accordance with the Town's Special Event Policy. The event will be operated in conformance with the Written Confirmation of Approval.
4. The sponsoring organization will provide a security deposit for the estimated fees as may be required by the Town and will promptly pay any bill for Town services which may be rendered.

Date: _____ Signature: _____

Print name: _____

Indemnification Agreement

_____ (Named User) agrees to unconditionally, absolutely and irrevocably defend, protect, indemnify and hold harmless the Town of Zionsville, Indiana, and its officers, agents, servants, and employees, from any claim, demand, suit, loss, cost or expense, or any damage which may be asserted, claimed or recovered, against or from

_____ (event) by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury, or death arises out of or in any way connected with the performance of this agreement, and regardless of which claim, demand, loss, cost or expense is caused in whole or in part by the negligence of the Town of Zionsville or by third parties, or by the officers, agents, servants, employees or vendors of any of them

Signature: _____ Date: _____

Witness: _____ Date: _____

Greywater Disposal for Temporary and Mobile Retail Food Establishments



What is Greywater?

Wastewater that is generated from sinks, cleaning activities and other non-sanitary sources is called greywater. Greywater may contain a variety of potential pollutants including oils and greases, detergents and cleaning chemicals that may be harmful to the environment.

Proper Disposal Practices

Greywater that is generated by temporary and mobile retail food establishments, including food carts and stands, and other temporary sources such as arts and crafts activities, must be collected and stored temporarily in a secure container. The wastewater can then be safely transported to an appropriate disposal location such as a commercial kitchen sink or utility sink that is plumbed to the sanitary sewer through a grease interceptor.

Greywater must never be dumped into a storm sewer as these drains lead directly to our local lakes and streams, nor dumped directly on the ground. It is important that greywater is disposed of in a sanitary sewer so it receives proper treatment prior to being discharged to the environment.



Portable greywater storage container

Local and State Regulations

The Town of Zionsville has a local ordinance that prohibits discharging anything other than stormwater to a storm drain or other drainageway. Violations of this code are considered an illicit discharge under Chapter 12-2 Prohibited Discharges and Connections are subject to enforcement under Chapter 12-7 of the ordinance.

Indiana State Code enforced by the Boone County Health Department also contains regulations for the proper disposal of greywater. 410 IAC 7-24, Sec. 375 (a) requires that greywater is conveyed to a point of disposal through an approved sanitary sewage system.

Questions?

For more information about greywater disposal or state and local regulations, please contact the Zionsville Stormwater Department at 317-873-4544 or by email at stormwater@zionsville-in.gov or contact the Boone County Health Department at 765-483-4458.